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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT**Docket Number (Optional)
4291C3

In re Application of

Timothy M. Woudenberg et al.

Application Number

09/627,580

Filed

July 28, 2000

For

Device and Method for Multiple Analyte Detection

Group Art Unit

1645

Examiner

Shahnan-Shah, K.

The Perkin-Elmer Corporation, the owner*, of One Hundred Percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer, of prior **Patent No. 6,126,899**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney of record.

11/2/01

Date

Vincent M. Powers
Signature

Vincent M. Powers

Typed or printed name

36,246

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is estimated to be \$110.00. Please charge the required fee to Applied Biosystems Deposit Account No. **01-2213**. A copy of this sheet is enclosed for accounting purposes.

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